

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	
Annual Assessment of the Status of	)	MB Docket No. 05-255
Competition in the Market for the	)	
Delivery of Video Programming	)	

**Motion To Accept Comments**

Pursuant to Section 1.46 of the Federal Communications Commission's (Commission's or FCC's) rules, the National Telecommunications Cooperative Association (NTCA) hereby request that the Commission accept NTCA's comments filed in the above-referenced proceeding.<sup>1</sup>

Comments were due on Monday, September 19, 2005. NTCA attempted several times to electronically file its comments on September 19, but was unable to upload the comments due to the FCC's electronic filing system (ECFS) malfunctioning. NTCA contacted Eric Hanson with FCC staff regarding the problem and was told to send an e-mail and attached comments stating the problem. NTCA e-mailed its comments to [ECFShelp@FCC.GOV](mailto:ECFShelp@FCC.GOV) and also cc'd Eric Hanson at the Commission on September 19, 2005.

On September 20, 2005, NTCA received a call stating the ECFS system was down on September 19 and was told to re-submit its comments today requesting the Commission to accept late filed comments.

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<sup>1</sup> 47 C.F.R. § 1.46.

Acceptance of NTCA's comments will not prejudice any party because the comments were made publicly available only one day after the comments filed by other parties. Moreover, because this proceeding is a permit-but-disclose proceeding, any party desiring to respond to NTCA's comments (or any other party's comments) can do so through the Commission's processes for making *ex parte* presentations.<sup>2</sup>

Respectfully submitted,

NATIONAL TELECOMMUNICATIONS  
COOPERATIVE ASSOCIATION

/s/ Daniel Mitchell

Daniel Mitchell

*Its Attorney*

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<sup>2</sup> In the Matter of Annual Assessment of the Status of Competition in the Market for the Delivery of Video Programming, Notice of Inquiry, MB Docket No. 05-255 (rel. Aug. 12, 2005)(NOI). ("Pursuant to section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which ex parte communications are permitted subject to disclosure").

## CERTIFICATE OF SERVICE

I, Rita H. Bolden, certify that a copy of the foregoing Motion To Accept Comments of the National Telecommunications Cooperative Association in MB Docket No. 05-255, FCC 05-155 was served on this 20th day of September 2005 by electronic mail to the following persons.

/s/ Rita H. Bolden  
Rita H. Bolden

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